

That's why conservation easements are so important for our state. It's why the state and many local governments are interested in acquiring conservation easements on undeveloped lands. It is also why non-profit organizations like the Colorado Cattlemen's Agricultural Land Trust and the Nature Conservancy—to name just two of many—work to help ranchers and other property owners to make these arrangements and so avoid the need to sell agricultural lands to developers.

I strongly support this approach. Of course, by itself it is not enough—it is still important for governments at all levels to acquire full ownership of land in appropriate cases. But in many other instances acquiring a conservation easement is more appropriate for conservation and other public purposes, more cost-effective for the taxpayers, and better for ranchers and other landowners who want to keep their lands in private ownership.

But while it is usually less costly to acquire a conservation easement than to acquire full ownership, it is often not cheap—and in some critical cases can be more than a community or a nonprofit group can raise without some help. That is where my bill would come in.

Under the bill, the Secretary of the Interior would be authorized to provide funds, on a 50 percent match basis, to supplement local resources available for acquiring a conservation easement. For that purpose, the bill would authorize appropriation of \$100 million per year for each of the next 6 fiscal years—similar to the amount that would have been authorized by the CARA legislation that the House passed last year.

The bill provides that the Secretary would give priority to helping acquire easements in areas—such as Colorado that are experiencing rapid population growth and where increasing land values are creating development pressures that threaten the traditional uses of private lands and the ability to maintain open space. Within those high-growth areas, priority would go to acquiring easements that would provide the greatest conservation benefits while maintaining the traditional uses—whether agricultural or some other uses—of the lands involved.

The bill would not involve any federal land acquisitions, and it would not involve any federal regulation of land uses—conservation easements acquired using these funds would be governed solely under state law.

Mr. Speaker, the national government has primary responsibility for protecting the special parts of the federal lands and for managing those lands in ways that will maintain their resources and values—including their undeveloped character—as a legacy for future generations. Regarding other lands, the challenge of responding to growth and sprawl is primarily the responsibility of the states and tribes, the local governments, and private organizations and groups—but the federal government can help.

This bill would provide help, in a practical and cost-effective way. For the information of our colleagues, I am attaching a summary of its main provisions.

DIGEST OF "COOPERATIVE LANDSCAPE CONSERVATION ACT"

The bill is based on provisions included in the House-passed Conservation and Reinvestment Act (CARA) legislation of the 106th

Congress. It would provide federal financial assistance to states, local governments, Indian tribes, and private groups working to preserve open space by acquiring conservation easements.

Background: In Colorado and other rapidly-growing states, rising land values and property taxes are putting farmers and ranchers (and other landowners) under increasing pressure to sell their lands for development. By selling conservation easements instead, they can lessen that pressure, capture much of the increased value of the land, and allow the land to continue to be used for traditional purposes. The party acquiring the conservation easement would have an enforceable property right to prevent development.

WHAT THE BILL WOULD DO

Program—The bill would establish the "Cooperative Landscape Conservation Program," to be administered by the Department of the Interior. The program would provide grants to assist qualified recipients to acquire conservation easements.

Funding—Bill would authorize appropriations of \$100 million/year for fiscal years 2002 through 2007. Funds would be used for grants, would be on a 50%-50% matching basis, for purchase of conservation easements on private lands in order to provide wildlife, fisheries, open space, recreation, or other public benefits consistent with the continuation of traditional uses by the private landowners. Up to 10% of annual funds could be used by Interior Department to provide technical assistance.

Priority—(1) Priority for grants would be to help acquire easements in areas where rapid population growth and increasing land values are creating development pressures that threaten traditional uses of land and the ability to maintain open space; (2) within those areas, priority would go for acquiring easements that would provide the greatest conservation benefits while maintaining traditional uses of lands.

Eligible Recipients—would be agencies of state or local government, tribes, and tax-exempt organizations operated principally for conservation.

Enforcement—Only an entity eligible for a grant could hold and enforce an easement acquired with program funds; at time of application, state Attorney General would have to certify that an easement would meet the requirements of state law.

WHAT THE BILL WOULD NOT DO

Bill would NOT involve any federal land acquisition.

Bill would NOT involve any federal regulation of land use.

IN APPRECIATION FOR SHARING AN EXTRAORDINARY STORY

HON. MIKE ROSS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 12, 2003

Mr. ROSS. Mr. Speaker, I rise today to share the story of a brave and resourceful veteran from my district. Recently, I had the pleasure of presenting him with the Distinguished Flying Cross medal—nearly sixty years after the flight engineer saved his plane by repairing it mid-flight.

Ray Huntsinger served as a flight engineer with the United States Army Air Corps, now

the Air Force, during World War II. During a mission to bomb Nazi oil reserves in Romania, Huntsinger's plane suffered damaged from anti-aircraft fire. He examined the plane and found that its hydraulic lines, which affect the air brakes and landing gear, had been ruptured. After notifying the pilot that he would have to make an emergency landing, Huntsinger set to work. Using materials he found on the plane, he constructed a patch over the damaged lines, and he strapped parachutes to the plane's waist to slow it down after landing. After circling the airfield until all emergency vehicles were in place, the pilot began his descent, and executed a perfect landing—the makeshift patch saved the day.

Years later, after retiring to Hot Springs Village, Huntsinger recounted the story to a friend of his who happened to be a retired Air Force Colonel. That friend submitted the story to the Air Force, and almost sixty years after that mid-flight repair, Huntsinger was awarded the Distinguished Flying Cross Medal.

I am so pleased to have the opportunity to properly honor one of our veterans. Mr. Huntsinger had an outstanding military career with the U.S. Army Air Corps during the Second World War. He flew fifty combat missions out of Italy, and in the incident that earned him the Flying Cross distinction, he demonstrated incredible ingenuity and resourcefulness, saving the lives of his fellow soldiers as they fought for their country. I welcome any opportunity to thank our veterans and to hear their stories, and this is quite a story!

INTRODUCTION OF THE CLEAN WATER PROTECTION ACT

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 12, 2003

Mr. PALLONE. Mr. Speaker, today I introduce the Clean Water Protection Act, legislation to protect the beauty and quality of our nation's water resources. This legislation would add a definition to the Clean Water Act that would place a specific prohibition on the use of wastes in "fill material" that is placed in waters of the United States. I am pleased that my colleague, Representative Christopher Shays, has joined me in this effort.

This legislation was predicated by an executive rule change on May 3, 2002, that altered the long-standing definition of "fill material" in the Clean Water Act regulations enforced by the Environmental Protection Agency (EPA) and the Army Corps of Engineers (Corps). The Administration's new definition allows the Corps to permit waste to be used to fill streams, wetlands, and other waters. Importantly, the rule change would have nationwide effects, by allowing all industries to seek permits from the Corps to dump their wastes in waters.

On May 8, 2002, a federal court in West Virginia decided that the Administration's rule change violated the Clean Water Act and was